

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>ERIE COUNTY ENVIRONMENTAL COALITION, et. al., Plaintiffs</b>	)	)	)	)	)	)
v.						
<b>MILLCREEK TOWNSHIP SEWER AUTHORITY, et. al., Defendants</b>	)	)	)	)	CIVIL ACTION NO. 05-59 ERIE ELECTRONICALLY FILED	JUDGE COHILL

**APPENDIX TO PLAINTIFFS'  
REPLY BRIEF**

Plaintiffs file this Appendix to Plaintiffs' Reply Brief for Summary Judgment, pursuant to Rule 56(c) of the Federal Rules of Civil Procedure and LR 56.1 of the Local Civil Rules of the United States District Court for the Western District of Pennsylvania.

I hereby certify that this Appendix contains true and correct copies of the following excerpts from pretrial discovery materials, standing affidavits, and DEP's website with respect to this case:

PL APP Pg.

Letter to Mr. Anthony Oprendek, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated October 14, 2004. 1

Letter to George W. Reidesel, Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated October 14, 2004. 2-4

Letter to George W. Reidesel, Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated October 14, 2004. 5-6

Letter to Mr. Anthony Oprendek, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated August 13, 2004. 7

Letter to Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated August 12, 2004.	8
Letter to Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated August 12, 2004.	9-11
Letter to Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated August 12, 2004.	12-14
Letter to Mr. Anthony Oprendek, Pennsylvania Department of Environmental Protection from Millcreek Township Sewer Authority, dated June 14, 2004.	15
Letter to George W. Reidesel, Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated June 14, 2004.	16-18
Letter to Mr. Anthony Oprendek, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated April 13, 2004.	19
Letter to George W. Reidesel, Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated March 24, 2004.	20-24
Letter to George W. Reidesel from Gary Snyder, Assistant Operations Superintendent, dated March 20, 2004	25
Letter to Mr. Anthony Oprendek, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated December 9, 2003	26
Letter to Mr. Anthony Oprendek, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated December 4, 2003	27-28
Letter to Mr. Anthony Oprendek, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated October 14, 2003	29
Letter to George W. Reidesel, Millcreek Township Sewer Authority from Gerald Allender, CTE Engineers, dated October 6, 2003.	30-33
Letter to Ms. Christine Nagy, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated June 13, 2002	34
Letter to Ms. Christine Nagy, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated May 15, 2002	35

Letter to Ms. Christine Nagy, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated March 11, 2002	36
Letter to Ms. Christine Nagy, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated December 5, 2000	37
Letter to Ms. Christine Nagy, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated January 6, 2000	38
Letter to Mr. Douglas Ebert, Pennsylvania Department of Environmental Protection from George W. Reidesel, Millcreek Township Sewer Authority, dated August 4, 2000	39
Stan Skrypzak's Declaration in Support of Standing	40-41
Jimmy Dallas' Declaration in Support of Standing	42-44
James Gwinn Declaration in Support of Standing	45-47
Cathy Pedler's Declaration in Support of Standing	48-50
Martin E. Visonsky's Declaration in Support of Standing	51-52
Jesse T. Davis, III's Declaration in Support of Standing	53-55
Paul F. Burroughs Declaration in Support of Standing	56-59
H.P. Lim's Declaration in Support of Standing	60-61
Audrey S. Weber's Declaration in Support of Standing	62-63
Defendants' Response to Interrogatory No. 9, Excerpt	64-66
1992 Consent Order and Agreement between the Commonwealth and Millcreek Township, Excerpt.	67-69
2003 Consent Order and Agreement between the Commonwealth and Millcreek Township, Excerpt.	70-75
Letter to Mr. George Riedesel, Millcreek Township Sewer Authority from WCO Thomas Edwards, Pennsylvania Fish and Boat Commission, dated November 9, 2004	76-78

Letter to Mr. George Riedesel, Millcreek Township Sewer Authority from WCO Thomas Edwards, Pennsylvania Fish and Boat Commission, dated September 8, 2004	79-81
Pennsylvania Department of Environmental Protection Growing Greener Watershed Grant Information	82-83
Pennsylvania Department of Environmental Protection Environmental Education Grant Information	84

Respectfully submitted,

s/ Jennifer A. Murphy  
Jennifer A. Murphy, Esquire  
PA90851  
Mid-Atlantic Environmental Law Center  
4601 Concord Pike, P.O. Box 7474  
Wilmington, DE 19803-0474  
(302) 477-2182  
(302) 477-2032 (fax)  
[jennifer.a.murphy@law.widener.edu](mailto:jennifer.a.murphy@law.widener.edu)  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing document by electronic means utilizing the Court's CM/ECF system that will serve notice of electronic filing to Mark J. Shaw, Esq., McDonald, Illig, Jones & Britton, LLP, Attorney for Defendants on this 5th day of May, 2006.

/s/ Jennifer A. Murphy  
Jennifer A. Murphy  
PA90851  
Mid-Atlantic Environmental Law Center  
c/o Widener University School of Law  
4601 Concord Pike  
P.O. Box 7474  
Wilmington, DE 19803

